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STANFORD HEALTH CARE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STANFORD HEALTH CARE, a
California Non-Profit Corporation,

Plaintiff,

vs.

TRUSTMARK SERVICES
COMPANY, a Delaware for profit
corporation, and DOES 1 THROUGH
25, INCLUSIVE,

Defendants.

Case No.: 5:22-cv-03946-SVK

[PROPOSED] ORDER DENYING
DEFENDANT TRUSTMARK'S
MOTION TO DISMISS SECOND
AMENDED COMPLAINT

[Filed concurrently with Plaintiff's
Opposition]

Hearing Date: April 6, 2023

Hearing Time: 1:30 p.m.

Courtroom.: 3

Before: Hon. Richard
Seeborg

[PROPOSED] ORDER

Before the Court is Defendant Trustmark's Motion To Dismiss Pursuant to FED. R. CIV. P. 12(b)(6). Upon consideration of Defendant's moving papers, Plaintiff's opposing papers, the evidence, and arguments of counsel, the Court finds:

1. Defendant Motion to Dismiss under FED. R. CIV. P. 12(b)(1) is DENIED.
2. Defendant's Motion to Dismiss under FED. R. CIV. P. 12(b)(6) as to the Breach of Implied-in-Fact Contract cause of action is DENIED.
3. Defendant's Motion to Dismiss under FED. R. CIV. P. 12(b)(6) as to the violation of California's Unfair Competition Law Bus. & Prof. Code § 17200, *et seq.* cause of action is DENIED.
4. Defendant's Motion to Dismiss under FED. R. CIV. P. 12(b)(6) as to the *Quantum Meruit* cause of action is DENIED.

So ordered.

Dated:

Hon. Richard Seeborg